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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/441,388	11/16/1999	MATTHEW ACKLEY	F0002-004001	4261

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EXAMINER	
DETWILER, BRIAN J	

ART UNIT	PAPER NUMBER
2173	17

DATE MAILED: 02/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/441,388	Applicant(s) ACKLEY ET AL.	
	Examiner Brian J Detwiler	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 December 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *18,19,27-35 and 38-46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *18 and 19* is/are allowed.

6)☒ Claim(s) *27-29,33-35,38-40 and 44-46* is/are rejected.

7)☒ Claim(s) *30-32 and 41-43* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 27-29, 33-35, 38-40, and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,119,152 (Carlin et al) and U.S. Patent No. 6,470,389 (Chung et al).

Referring to claims 27 and 38, Carlin discloses in column 2: lines 10-38 a multi-provider online sales system, wherein a plurality of service providers are each allocated a subset of subscriber features and a customized user interface. Figures 3a-3j illustrate the user interface provided by the multi-provider online sales system, which allows each service provider to build a customized sales interface. In column 5: lines 16-42, Carlin further discloses that each subscriber of a service provider sees the associated online service as independent even though the server providing the interface is maintained by the multi-provider online sales system. In column 1: lines 19-27, Carlin explains that online services can operate over a TCP/IP network. This embodiment would further require that each sales interface and the host computer be located at a unique network address. Carlin fails to specifically disclose, though, that the sales interfaces operate at different domains. However, one of ordinary skill in the art would have been motivated to map each interface to a different domain because of Carlin's suggestion in

column 8: lines 54-56, which says that it should appear to the subscriber that he or she is connected to an online service that is administered by that service provider. If all of the service provider interfaces were mapped to the same domain, they would clearly not appear independent. Furthermore, Chung discloses in column 6: lines 17-27 a mechanism for mapping multiple domains to a single server. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlin and Chung so that each sales interface would be mapped to a different domain. Such a combination would have been advantageous so as to maintain the impression that each sales interface is operated by its respective service provider and not by a single common entity.

Referring to claims 28 and 39, Chung discloses using DNS mapping in column 6: lines 4-8. This teaching relies on a specific embodiment applied throughout this action, wherein Carlin's system operates over a TCP/IP network.

Referring to claims 29 and 40, Carlin discloses in Table 1 a plurality of services that can be offered via the customized user interfaces, and are inherently presented on different pages linked by the menu structure illustrated in Figure 3j.

Referring to claims 33 and 44, Carlin and Chung fail to explicitly disclose that sales interfaces include interface elements comprising at least part of their respective domain names. However, the examiner submits that it is notoriously well known in the state of the art that parts of the domain names are typically indicative of the respective service provider's name (e.g. Amazon.com), and are thus very commonly included in sales interfaces. The examiner takes OFFICIAL NOTICE of this teaching. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include part of the domain name in

a user interface as a mechanism for associating the domain name with the name of the service provider. Such an association makes it easier for users to remember a network address and navigate to a service provider's sales interface.

Referring to claims 34 and 45, Carlin explains in column 2: lines 10-20 that the invention is a multi-provider on line service allowing a plurality of service providers to uniquely configure the appearance of their respective user interfaces. Each of these service providers can inherently belong to different legal entities.

Referring to claims 35 and 46, as discussed above, Carlin and Chung disclose a host server and a plurality of sales interfaces that provide the impression that they are being operated by different entities. In Figures 3a-3j, Carlin illustrates a customization interface responsive to user input to define the sales interfaces. As mentioned above, Carlin explains in column 8: lines 54-56, that from the subscriber's standpoint, it should appear that he/she is connected to an online service which is administered by that service provider. Additionally, Carlin explains in column 4: lines 37-51 that service providers can upload data for access solely to its own subscribers. Therefore, it is implied that the customization interface is operative to provide different headers for each sales interface.

Allowable Subject Matter

Claims 18 and 19 are allowed.

Claims 30-32 and 41-43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: In combination with the claimed subject matter, the prior art does not teach or fairly suggest providing individual specification elements for each category, attributes to indicate that a category is unused, or linking to other pages not operated by the sales server, but mapped to the same domain. The closest prior art, Carlin et al, teaches a multi-provider sales system with which a plurality of service providers can build customized sales interfaces.

Response to Arguments

Applicant's arguments filed 12 December 2003 have been fully considered but they are not persuasive. Applicant first asserts that there is no suggestion or motivation to combine the teachings of Carlin and Chung because the problems addressed by the references are distinct and unrelated. The examiner respectfully disagrees. Carlin discloses a network sales system that allows multiple service providers to sell items online through a common host while maintaining the appearance that each service provider operates independently. Chung, meanwhile, discloses a method for allowing a single server to serve more than one domain name, and thus provides at least one solution for maintaining Carlin's independent appearance. Applicant further asserts that neither Carlin nor Chung discloses two sales interfaces at two different network addresses. Applicant states that there is no indication that Carlin's system utilizes more than one host computer and therefore each sales interface must have the same network address, i.e., the network address of the host computer. The examiner respectfully disagrees. As discussed above, Carlin's primary embodiment enables multiple service providers to sell items through a common host while maintaining the appearance that each service provider operates

independently. If each sales interface had the same network address, as suggested by Applicant, the service providers would certainly not appear to be independent. Carlin's system would then have to include some mechanism that allows multiple network addresses to be mapped to a single server. Chung teaches such a mechanism in column 6: lines 17-27, and proves that a single host can have multiple network addresses. Accordingly, the examiner's rejection is maintained and included herewith.

Conclusion

All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J Detwiler whose telephone number is 703-305-3986. The examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on 703-308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bjd

JOHN CABECA
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